



JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor's Patent Application of

BESSETTE et al.

Atty. Ref.: 4380-107

Serial No. 09/604,082

Group: 1651

Filed: June 27, 2000

Examiner: Afremova, Vera

For: PESTICIDAL COMPOSITIONS CONTAINING
ROSEMARY OIL

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF COURTESY COPIES OF DOCUMENTS CITED IN A
PREVIOUSLY SUBMITTED SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

Sir:

In an Office Action dated April 11, 2006, the Examiner alleges that a Supplemental Information Disclosure Statement filed in the above-captioned patent application on June 19, 2003 (copy with postcard receipt attached herewith) is not in compliance with the Rules because certain copies of the cited references are missing in the UPSTO's files, as outlined on the attached copy of Form PTO-1449 which has been marked by the Examiner.

Applicants respectfully submit that copies of the allegedly missing references were indeed provided with the above-referenced June 19, 2003, Supplemental Information Disclosure Statement and that the USPTO has acknowledged receiving the references as shown on the attached date-stamped postcard receipt. However, solely in an effort to advance prosecution, Applicants submit herewith **courtesy copies** of the references apparently misplaced by the Patent Office. A clean Form PTO/SB/08 listing only the missing/unconsidered references is also attached. Acknowledgement of consideration of all references cited on the attached Form PTO/SB/08 is respectfully requested.

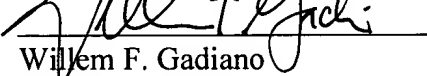
Applicant respectfully requests that the Examiner contact the undersigned representative at the telephone number listed below if there are any questions or if any further information is needed.

Applicant(s) hereby requests any extension of time deemed necessary for entry of this submission and any submission filed hereafter in this application or any continuing application(s). Applicant(s) makes a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge any petition fee or any deficiency in fees filed, or asserted to be filed, or which should have been filed herewith (or with any paper filed hereafter) to Deposit Account No. **14-1140** or credit any overpayment of fees to such Deposit Account.

Respectfully submitted,

NIXON & VANDERHYE P.C.

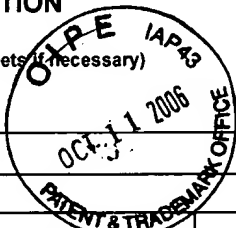
Date: October 11, 2006

By: 
Willem F. Gadiano
Reg. No. 37,136

WFG:ewm
901 North Glebe Road, 11th Floor
Arlington, VA 2220-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Atty. Docket No.	Serial No.
	4380-107	09/604,082
	Applicant	
	BESSETTE et al.	
Filing Date		TC/A.U.
June 27, 2000		1651



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

							TRANSLATION	
		DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
	1	DE 19631594 A	02/1998	GERMANY				X
	2	EP 0262 885 A2	04/1988	EUROPE			X	
	3	EP 0 495 684 A1	07/1992	EUROPE			X	
	4	EP 0 557 174 A1	08/1993	EUROPE				X
	5	EP 0 635 208 A1	01/1995	EUROPE			X	
	6	EP 0 894 435 A1	02/1999	EUROPE				X
	7	EP 1 048 293 A1	11/2000	EUROPE			X	
	8	FR 2 553 664 A	04/1985	FRANCE				X
	9	FR 2 759 546 A	08/1998	FRANCE				X
	10	GB 1 604 859 A	12/1981	GREAT BRITAIN				
	11	GB 1 593 601 A	07/1981	GREAT BRITAIN				
	12	JP 11-060421	03/1999	JAPAN			ABSTRACT	
	13	JP 406107505A	04/1994	JAPAN			ABSTRACT	
	14	WO 91/05561	05/1991	PCT				
	15	WO 96/20594	07/1996	PCT				
	16	WO 97/07667	03/1997	PCT				
	17	WO 98/04128	02/1998	PCT				
	18	WO 98/54971	12/1998	PCT				
	19	WO 98/49901	11/1998	PCT				
	20	WO 98/27812	07/1998	PCT				
	21	WO 99/37148	07/1999	PCT				
	22	WO 00/00213	01/2000	PCT				
	23	WO 00/05964	02/2000	PCT				
	24	WO 01/13726	03/2001	PCT				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	25	Kohn ed., Mechanism of Pesticide Action (ACS Symposium Series 2), American Chemical Society, "Mechanisms of Insecticide Metabolism in Insects: Tissue, Cellular, and Subcellular Studies", p. 39 (1974)

*Examiner		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

COURTESY COPY

Applicant: Steven M. BESSETTE, et al. Docket No. 45112-089

Title: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY OIL Serial/Reg./Patent No. 09/604,082

Date Sent: 6/19/03 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont ☐ CIP ☐ Div. ☐ PCT ☐ CPA ☐ RCE ☐ Prov

☐ Other: _____

_____ pages of Specification

_____ pages of Claims

_____ pages of Abstract

_____ pages of Formal/Informal Drawings

☒ Small Entity ☐ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☒ Information Disclosure Statement

3 pages Form PTO 1449

67 copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of _____

☐ Request for _____ month Extension of Time

☐ Letter submitting _____ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for _____ years after grant

☐ Fee Address Indication Form _____

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other



COPY

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CMS Descrip.: (10) \$180.00

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

Attorney Docket No.: 045112-0089



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Steven M. Bessette, et al.)	
)	Group Art Unit: 1651
Serial No.: 09/604,082)	
)	Examiner: V. Afremova
Filed: June 27, 2000)	
)	
For: PESTICIDAL COMPOSITIONS)	
CONTAINING ROSEMARY OIL)	COURTESY COPY

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Information Disclosure Statement

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COPY

Dear Sir:

In accordance with 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence. Applicant(s) respectfully request(s) that the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☒ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 50-0417 in the amount of \$180.00 for payment of the petition fee. Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☒ 4. The Examiner's attention is directed to co-pending U.S. Patent Application No. 10/014,797, filed December 14, 2001, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

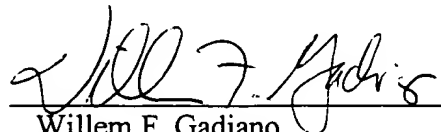
☒ 5. Some of the reference(s) was/were cited in foreign applications of the assignee. For the Examiner's information, attached is an English language version of the foreign search report. It is believed that the foreign search report explains the relevance of any non-English language reference(s) cited on the attached PTO-1449.

COURTESY COPY

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417.

COPY
Respectfully submitted,

Date: June 19, 2003

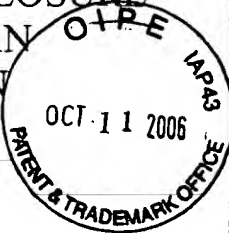
By: 
Willem F. Gadiano
Registration No. 37,136

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: (202) 756-8000

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SHEET 1 OF 3

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 45112-089		SERIAL NO. 09/604,082	
				APPLICANT Steven M. BESSETTE, et al.		COPY	
				FILING DATE June 27, 2000		GROUP 1651	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		US US 2,423,284	07/01/47	Babbini			
		US US 2,945,782	07/60	Schraufstatter et al.			
		US US 3,445,565	05/69	Locher et al.			
		US US 4,053,595	10/11/77	Zeck et al.			
		US US 4,195,080	03/25/80	Herrera et al.			
		US US 4,308,279	12/29/81	Smeltz			
		US US 4,368,207	01/83	Lover et al.			
		US US 4,376,784	03/15/83	Harney et al.			
		US US 4,379,168	04/83	Dotolo			
		US US 4,818,534	04/04/89	Levy			
		US US 4,948,013	08/14/90	Thomas et al.			
		US US 4,983,390	01/08/91	Levy			
		US US 4,985,251	01/15/91	Levy			
		US US 4,999,187	03/91	Vernon			
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number + -Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		DE 19631594 A	02/12/98				
		DE 3526911A	03/13/86				
		DE 3717467 A	12/01/88				
		DE 3733640 A	04/13/89				
		EP 462 347	12/27/91				
		EP 0 262 885 A2	04/06/88				
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
		Casida, John E. "Pyrethrum" pp. 26-27, 30-31, 88-91, 196-199, 276, 202-3, 267, Academic Press 1973					
		Chemical Abstracts 119(5): 43357q (1993)					
		Kohn ed et al. "Mechanism of Pesticide Action", 1974, American Chemical Society, p. 39					
		Pesticide and Toxic Chemical News, PROMPT Full Text Article, pp. 1-3					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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SHEET 2 OF 3

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 45112-089		SERIAL NO. 09/604,082	
				APPLICANT Steven M. BESSETTE, et al.			
				FILING DATE June 27, 2000		GROUP 1651	

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U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US US 5,013,769	05/0791	Murray et al.		
		US US 5,227,163	07/93	Eini et al.		
		US US 5,246,919	09/21/93	King		
		US US 5,248,503	09/93	Emmanuel-King		
		US US 5,288,483	02/94	Cardin et al.		
		US US 5,439,690	08/08/95	Knight		
		US US 5,693,344	12/02/97	Knight et al.		
		US US 5,783,202	07/98	Tomlinson et al.		
		US US 5,858,383	01/99	Precopio		
		US US 5,888,984	03/99	Brown		
		US US 6,004,569	12/21/99	Bessette et al.		
		US US 6,114,384	09/05/00	Bessette et al.		
		US US 6,183,767B1	02/06/01	Bessette et al.		

FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		EP 0 495 684 A1	07/22/92				
		EP 0 557 174 A1	08/25/93				
		EP 0 635 208 A1	01/25/95				
		EP 0 894 435 A1	02/03/99				
		EP 1 048 293 A1	11/02/00				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Pfeffermuinzol, 1996 DEUTSCHES ARZNEIBUCH XP002150746.
		Singh, K. et al., "Composition Flea Control Carpet Comprise Boric Acid Powder Contain Adsorb Mono Terpene Synergistic", Abstract, Database WPI, Section Ch, Week 199412, Derwent Publications Ltd., January 7, 1994.
		Singh, K. et al., "Synergism of MKG-264 and Piperonyl Butoxide on the Toxicity of Plant Derived", Database, CHEMABS 'Online', Chemical Abstracts Service, Columbus, OH, Vol. 36, No. 15, pp. 3055-3060, 1998.
		Vartak et al. "Comparative Repellent Properties of Certain Chemicals Against Mosquitoes, House Flies and Cockroaches Using Modified Techniques"; Com. Dis., 26 (3): 156-160, 1994.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

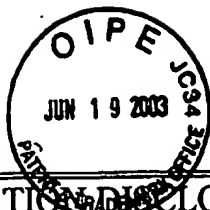
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				FILING DATE June 27, 2000		COPY GROUP 1651	
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		US					
FOREIGN PATENT DOCUMENTS							
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						Yes	No
		EP 2 267 643 A	12/15/93				
		FR 2 553 664 A	04/26/85				
		FR 2 759 546 A	08/21/98				
		GB 1 604 859 A	12/16/81				
		GB 1 593 601 A	07/22/81				
		JP 11060421	03/02/99	(Abstract)			
		JP 1-130415	05/23/89				
		JP 40 6107505A	04/1994				
		JP 53 034919	04/04/95				
		JP 55 104202	08/09/80				
		WO 91/05561	05/02/91				
		WO 96/20594	07/11/96				
		WO 97/07677	03/06/97				
		WO 98/04128	02/05/98				
		WO 98/54971	12/10/98				
		WO 98/49901	11/12/98				
		WO 98/27812	07/02/98				
		WO 99/37148	07/29/99				
		WO 00/00213	01/06/00				
		WO 00/05964	02/10/00				
		WO 01/13726 A1	03/01/01				
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
EXAMINER				DATE CONSIDERED			

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COPY

SHEET 1 OF 3

INFORMATION DISCLOSURE
CITATION IN AN
APPLICATION

(PTO-1449)

ADJ. DOCKET NO.
45112-089

SERIAL NO.
09/604,082

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JUN 23 2003

APPLICANT
Steven M. BESSETTE, et al.

FILING DATE
June 27, 2000

GROUP
1651

TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS

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VA		US US 2,423,284	07/01/47	Babbini	
		US US 2,945,782	07/60	Schraufstatter et al.	
		US US 3,445,565	05/69	Locher et al.	
		US US 4,053,595	10/11/77	Zeck et al.	
		US US 4,195,080	03/25/80	Herrera et al.	
		US US 4,308,279	12/29/81	Smeltz	
		US US 4,368,207	01/83	Lover et al.	
		US US 4,376,784	03/15/83	Hamey et al.	
		US US 4,379,168	04/83	Dotolo	
		US US 4,818,534	04/04/89	Levy	
		US US 4,948,013	08/14/90	Thomas et al.	
		US US 4,983,390	01/08/91	Levy	
		US US 4,985,251	01/15/91	Levy	
VA		US US 4,999,187	03/91	Vernon	

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						Yes	No
no	copy	DE 19631594-A	02/12/98				
VA		DE 3526911A	03/13/86				X
		DE 3717467 A	12/01/88				X
		DE 3733640 A	04/13/89				X
VA		EP 482 347	12/27/91				X
no	copy	EP 0-262 885-A2	04/06/88				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
VA		Casida, John E. "Pyrethrum" pp. 26-27, 30-31, 88-91, 196-199, 276, 202-3, 267, Academic Press 1973
VA		Chemical Abstracts 119(5): 43357q (1993)
miss	by reference	Kohn et al. "Mechanism of Pesticide Action", 1974, American Chemical Society, p. 39
VA		Pesticide and Toxic Chemical News, PROMPT Full Text Article, pp. 1-3. 1994

EXAMINER

V. J. J. J.

DATE CONSIDERED

4-03-2006

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SHEET 2 OF 3

INFORMATION DISCLOSURE
CITATION IN AN
APPLICATIONPATENT DOCKET NO.
45312-089SERIAL NO.
09/604,082

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JUN 23 2003

APPLICANT
Steven M. BESSETTE, et al.FILING DATE
June 27, 2000GROUP
1651

TECH CENTER 1600/2900

(PTO-1449)

U.S. PATENT DOCUMENTS

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VA		US US 5,013,769	05/0791	Murray et al.	
VA		US US 5,227,163	07/93	Eini et al.	
VA		US US 5,246,919	09/21/93	King	
VA		US US 5,248,503	09/93	Emmanuel-King	
VA		US US 5,288,483	02/94	Cardin et al.	
VA		US US 5,439,690	08/08/95	Knight	
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V. Affen

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